

To: Cantello, Nicole[cantello.nicole@epa.gov]
Cc: 'John M. Bell'[jmbell@shbellco.com]; Jim Langbehn[jlangbehn@shbellco.com]; 'Rusty Davis'[rdavis@shbellco.com]; John R. Bedeck[jbedeck@shbellco.com]; Joel L. Lennen[JLennen@eckertseamans.com]; Scott R. Dismukes[SDismukes@eckertseamans.com]; Mendoza, Stephen[mendoza.stephen@epa.gov]
From: Jessica Sharrow Thompson
Sent: Wed 8/9/2017 11:37:09 PM
Subject: RE: United States v. S.H. Bell Company / Stipulated Settlement and Final Consent Order: Notice of Force Majeure Event

Hi Nicole –

The submission of the March 2017 data from the FRM monitors was in complete accordance with the requirements of the Consent Order/Section 114 Request(which only requires submission of ASCII comma-delimited files with a single “header” row, with all following rows being individual records, and all columns being a single variable according to the header row).

Although outside the confines of the Consent Order, we are willing to work with EPA to accommodate your request. Prior to resubmitting the March 2017 data, CAS wants to make sure that the format of the June 2017 FRM data (which reflected our understanding of our agreement during the July 19 conference call) is acceptable to EPA.

If the June 2017 format is acceptable to EPA, we can resubmit the March 2017 data as well as the April 2017 and May 2017 data in this format. At that time, we will address your request to not report values as ½ the method detection limit (MDL) for the March 2017 FRM data.

Regards,

Jessica

Jessica Sharrow Thompson | Member

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From: Cantello, Nicole [mailto:cantello.nicole@epa.gov]
Sent: Friday, August 04, 2017 11:25 AM
To: Kathleen Connors
Cc: 'John M. Bell'; Jim Langbehn; 'Rusty Davis'; John R. Bedeck; Joel L. Lennen; Jessica Sharrow Thompson; Scott R. Dismukes; Mendoza, Stephen
Subject: RE: United States v. S.H. Bell Company / Stipulated Settlement and Final Consent Order: Notice of Force Majeure Event

Dear Scott:

SH Bell needs to resubmit the March 2017 data for the filter (FRM) monitors.

The data EPA has in-house still reports ½ the MRL for values that were below the MRL. In all subsequent submittals SH Bell has submitted it correctly, but for March 2017, this still was not corrected. Please resubmit the data.

Thanks very much,

Best,

Nicole Cantello

Attorney/Advisor

U.S. Environmental Protection Agency

77 West Jackson Boulevard

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312/886-2870

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From: Cantello, Nicole

Sent: Tuesday, July 25, 2017 12:19 PM

To: 'Kathleen Connors' <KConnors@eckertseamans.com>

Cc: 'John M. Bell' <jmbell@shbellco.com>; Jim Langbehn <jlangehn@shbellco.com>; 'Rusty Davis' <rdavis@shbellco.com>; John R. Bedeck <jbedeck@shbellco.com>; Joel L. Lennen <JLennen@eckertseamans.com>; Jessica Sharrow Thompson <JSharrow@eckertseamans.com>; Scott R. Dismukes <SDismukes@eckertseamans.com>; Stephen Mendoza <Mendoza.Stephen@epa.gov>

Subject: RE: United States v. S.H. Bell Company / Stipulated Settlement and Final Consent Order: Notice of Force Majeure Event

Dear Scott;

Thanks for your force majeure letter. EPA will consider the force majeure issue under separate cover.

Regarding the question submitted about the appropriate code to use in this instance, EPA requires that the lab confirm the data will still be valid, and meets all their QA/QC requirements (no damage, meets the holding time, etc.). So, please do not have them use code 'BI' as that would invalidate the data points. The most descriptive qualifier is "3" which denotes a "field issue." Please use the qualifier to "3" and submit.

Thanks very much.

Best,

Nicole Cantello

Attorney/Advisor

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From: Kathleen Connors [<mailto:KConnors@eckertseamans.com>]

Sent: Monday, July 24, 2017 4:53 PM

To: Cantello, Nicole <cantello.nicole@epa.gov>

Cc: 'John M. Bell' <jmbell@shbellco.com>; Jim Langbehn <jlangehn@shbellco.com>; 'Rusty Davis' <rdavis@shbellco.com>; John R. Bedeck <jbedeck@shbellco.com>; Joel L. Lennen <JLennen@eckertseamans.com>; Jessica Sharrow Thompson <JSharrow@eckertseamans.com>; Scott R. Dismukes <SDismukes@eckertseamans.com>

Subject: United States v. S.H. Bell Company / Stipulated Settlement and Final Consent Order:
Notice of Force Majeure Event

Good afternoon all – On behalf of Scott R. Dismukes, please see the attached.

Thank you,

Kathleen

Kathleen Connors | Legal Assistant to Scott R. Dismukes

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